

**REMARKS**

**I. Status of the Application**

By the present Amendment, Applicant amends claims 1 and 3-7. Applicant also hereby cancels claim 2 without prejudice or disclaimer. Claims 1 and 3-7 are all the claims pending in the Application. Claims 1-7 have been rejected.

The present Amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

**II. Formalities**

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of the certified copy of the priority document submitted on November 29, 2004.

Applicant thanks the Examiner for considering the references cited with the Information Disclosure Statement filed on November 29, 2004.

Applicant thanks the Examiner for indicating that the Formal Drawings filed on November 29, 2004 are accepted.

**III. Objections to the Specification**

The Examiner has objected to the Abstract of the Disclosure alleging an informality. The informality noted by the Examiner has been corrected, as set forth above. Thus, Applicant respectfully requests that the Examiner withdraw this objection.

#### **IV. Claim Objections**

The Examiner has objected to claims 1, 2 and 6 alleging various informalities. Claim 2 has been canceled without prejudice or disclaimer and, therefore, the Examiner's objections with respect to claim 2 are now moot. Further, claims 1 and 6 have been amended, as set forth above, to correct the informalities noted by the Examiner. As such, Applicant respectfully requests that the Examiner withdraw these objections.

#### **V. Claim Rejections under 35 U.S.C. §102**

The Examiner has rejected claims 1-7 under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Publication No. 08-030413 to Ueno (hereinafter "Ueno"). Applicant respectfully traverses these rejections for *at least* the independent reasons stated below.

As an initial matter, Applicant notes that claim 2 has been canceled without prejudice or disclaimer and, therefore, the Examiner's rejections with respect to claim 2 are now moot.

According to the MPEP, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (MPEP § 2131). Applicant respectfully submits that claims 1 and 3-7 positively recite limitations which are not disclosed (or suggested) by Ueno.

##### **A. Independent Claim 1**

For example, without conceding the merits of the Examiner's rejections, claim 1 has been amended, as set forth above, to recite (among other things):

...wherein said data management operation  
selects and deletes printing data using data  
selection priority information associated with  
said management information.

Ueno fails to disclose or suggest these features. The grounds of rejection allege that paragraph 0014, lines 1-5 of Ueno disclose that the print data content is prioritized based on the numerical values. However, contrary to the recitations of claim 1, Ueno fails to provide any disclosure or suggestion that a data management operation selects and deletes printing data using data selection priority information associated with said management information, as claimed.

Indeed, paragraph 0014, lines 1-5 of Ueno merely discloses that the spooler 23 analyzes the received content 40 and extracts page information. Ueno further discloses that the content turns into a content which shows from which position of the data for printing each page is started. But, Ueno nowhere discloses or suggests that a data management operation selects and deletes printing data using data selection priority information associated with said management information, as recited in claim 1. Quite to the contrary, Ueno discloses that, after ending printing, the received data is deleted by the conventional printing control method of deleting the content of the spool file and extinguishing the received data and makes no mention of using data selection priority information, as claimed. *See e.g.*, paragraph 0015.

Thus, Applicant respectfully submits that independent claim 1 is not anticipated by (i.e. is not readable on) the applied Ueno reference for *at least* these independent reasons. Further, Applicant respectfully submits that the dependent claims 3-5 are allowable *at least* by virtue of their dependency on claim 1. Thus, Applicant respectfully requests that the Examiner withdraw these rejections.

**B. Independent Claim 6**

In view of the similarity between the requirements of claim 6 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 6. As such, it is respectfully submitted that claim 6 is patentably distinguishable over the cited reference *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

**C. Independent Claim 7**

In view of the similarity between the requirements of claim 7 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 7. As such, it is respectfully submitted that claim 7 is patentably distinguishable over the cited reference *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

**VI. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/733,812

Attorney Docket No.: Q78954

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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